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Division

04 Dangerous or negligent acts endangering persons

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Division 04 - Dangerous or negligent acts endangering persons

Dangerous or negligent acts which, though not intended to cause harm, actually or potentially result in injury to oneself or another person.

This division is further disaggregated into subdivisions on the basis of whether or not the dangerous or negligent act involved the operation of a vehicle.

For the purposes of this division, the definition of vehicle is any means of motorised or non-motorised transport in or on which something is carried, conveyed or travels. This includes but is not limited to: car, motorcycle, motorised caravan/campervan, truck, tractor, bus, train, tram, boat, ship, aircraft, vessel, bicycle, wheelchair, skateboard/skates/rollerblades, ride-on mower, horse.

For the purposes of this division, 'driving' and 'operating' are taken to be interchangeable terms for being considered in control of or in charge of a vehicle.

Offences in this division are classified into the following subdivisions:

041 Dangerous or negligent operation of a vehicle

049 Other dangerous or negligent acts endangering persons

Exclusions:

Offences that result in death. These are coded to the relevant groups within Division 01, Homicide and related offences.

Offences where there is intent to injure and where there is no sexual or acquisitive element. These are coded to the relevant groups within Division 02, Acts intended to cause injury.

Offences that involve reckless behaviour amounting to intentionality or malice. These are coded to the relevant groups within Division 02, Acts intended to cause injury.

Riot and affray. These are coded to Group 1313, Riot and affray.

Driving offences not of a serious or negligent nature. These are coded to the relevant groups within Division 14, Traffic and vehicle regulatory offences.

Subdivision

041 Dangerous or negligent operation of a vehicle

Subdivision 041 Dangerous or negligent operation of a vehicle

The dangerous or negligent operation of a vehicle (as defined at the beginning of this division) which, though not intended to cause harm, actually or potentially results in injury to oneself or another person.

This subdivision is disaggregated on the basis of the actual contributing factor (alcohol or other substances, carelessness or speed) that causes the culpable driving.

Offences in this subdivision are classified into the following groups:

0411 Drive under the influence of alcohol or other substance

0412 Dangerous or negligent operation (driving) of a vehicle

Exclusions:

Dangerous or negligent acts not involving the operation of a vehicle. These are coded to Subdivision 049, Other dangerous or negligent acts endangering persons.

0411 Drive under the influence of alcohol or other substance

Offences in which the driver of a vehicle (as defined at the beginning of this division) is under the influence of alcohol or other substance, their driving is impaired, and they actually do or potentially could cause an injury to themselves or another person.

Inclusions:

Ride (bicycle, horse, skateboard, etc.) under the influence of alcohol or other substance

Exclusions:

Drive while exceeding the prescribed content of alcohol. These are coded to Group 1431, Exceed the prescribed content of alcohol or other substance limit.

Death caused by a driver under the influence of alcohol or other substance. These are coded to Group 0132, Driving causing death.

0412 Dangerous or negligent operation (driving) of a vehicle

Dangerous, negligent or culpable operation (driving) of a vehicle (as defined at the beginning of this division) in a manner whereby an injury to themselves or another person occurs, or is potentially likely to occur.

Inclusions:

Dangerous, negligent, careless or reckless driving

Driving causing grievous bodily harm

The negligent or reckless operation of a vehicle

Culpable navigation

Ride (bicycle, horse, skateboard, etc.) in a dangerous or negligent manner

Engage in an unauthorised road race

Fail to have proper control of a vehicle

Speed in a dangerous or negligent manner

Exclusions:

Drive under the influence of alcohol or other substance. These are coded to Group 0411, Drive under the influence of alcohol or other substance.

Drive while exceeding the prescribed content of alcohol or other substance limit. These are coded to Group 1431, Exceed the prescribed content of alcohol or other substance limit.

Drive while disqualified. These are coded to Group 1411, Drive while licence disqualified or suspended.

Exceed the legal speed limit. These are coded to Group 1432, Exceed legal speed limit.

Cause a vehicle to make excessive noise or smoke. These are coded to Group 1422, Roadworthiness offences.

Subdivision

049 Other dangerous or negligent acts endangering persons

Subdivision 049 Other dangerous or negligent acts endangering persons

Dangerous or negligent acts not involving the operation of a vehicle which, though not intended to cause harm, actually or potentially result in injury to oneself or another person.

This subdivision is further disaggregated to distinguish duty of care from other negligent acts that endanger persons, that cannot be placed anywhere else in this division.

Offences in this subdivision are classified into the following groups:

0491 Neglect or ill treatment of person under care

0499 Other dangerous or negligent acts endangering persons, nec

0491 Neglect or ill-treatment of person under care

The ill-treatment or wilful neglect of a person under care by a carer, not involving the operation of a vehicle that, though not intended to cause harm, actually or potentially results in injury to the person under care, not amounting to assault.

Inclusions:

Ill-treatment of patients

Ill-treatment of elderly persons under care

Ill-treatment of mentally disabled persons under care

Child neglect

Exclusions:

Unlawful killing of a person under care. These are coded to Group 0111, Murder.

0499 Other dangerous or negligent acts endangering persons, nec

All other dangerous or negligent acts not involving the operation of a vehicle that, though not intended to cause harm, actually or potentially result in injury to oneself or another person and cannot be classified elsewhere in Subdivision 049, Other dangerous or negligent acts endangering persons.

Inclusions:

Cause grievous bodily harm by a negligent act or omission

Unlawful interference with aviation (e.g. damage equipment or instruments, unlawfully interfere with a pilot)

Exclusions:

Assault. These are coded to Subdivision 021, Assault.

Jaywalking and other pedestrian offences. These are coded to Group 1441, Pedestrian offences.

Neglect or ill-treatment of persons. These are coded to Group 0491, Neglect or ill-treatment of persons under care.